UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of)
)
MAINE HEALTH & ENVIRONMENTAL) DOCKET NO. RCRA-01-2015-0024
TESTING LABORATORY,)
)
Respondent)

REPORT RECOMMENDING CONTINUATION OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Order of December 1, 2015 provides that this alternative dispute resolution (ADR) process terminates February 1, 2016. The recommendation of this Report is that the ADR process be continued for a final two months, to April 1, 2016.

This continuation of the ADR process is recommended because the parties' negotiations have developed an agreement in principle but additional time is needed to verify the details of the Supplemental Environmental Project ("SEP") and to finalize the proposed SEP and Consent Agreement and Final Order documents. The parties' chances of achieving a settlement are sufficient to justify the continuation.

Barbara A. Gunning

Administrative Law Judge Dated: February 2, 2016

Approved:

Susan L. Biro

Chief Administrative Law Judge

Dated: February 3, 2016

In the Matter of, <u>Maine Health & Environmental Testing</u>, Respondent Docket No. RCRA-01-2015-0024

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Report Recommending Continuation of Alternative Dispute Resolution Process**, dated February 2, 2016, was sent this day, February 3, 2016 in the following manner to the addressees listed below:

Chronnia L. Warren

Paralegal

Dated: February 3, 2016

Original And One Copy To:

Sybil Anderson Headquarters Hearing Clerk U.S. EPA Mail Code 1900R 1200 Pennsylvania Avenue, NW Washington, DC 20460-2001

Copy by Electronic and Regular Mail To:

Audrey Zucker, Esq.
Sr. Enforcement Counsel
Office of Environmental Stewardship
U.S. Environmental Protection Agency, Reg. I
5 Post Office Square, Ste. 100, Mail Code OES-04-2
Boston, MA 02109-3912
Email: zucker.audrey@epa.gov

Deanna L. White Assistant Attorney General Office of the Attorney General 6 State House Station Augusta, ME 04333-0006 Email: deanna.white@maine.gov

Mary Sauer Assistant Attorney General Office of the Attorney General 6 State House Station Augusta, ME 04333-0006